

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

FILED
RICHARD W. NAGEL
CLERK OF COURT

4/7/21

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)Priority Mail Express Tracking Number EJ748073329US
postmarked April 2, 2021

Case No. 3:21-mj-134

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
WEST. DIV. DAYTON**APPLICATION FOR A SEARCH WARRANT BY TELEPHONE OR OTHER RELIABLE
ELECTRONIC MEANS**

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Priority Mail Express Tracking No. EJ748073329US postmarked April 2, 2021, addressed to Mike Perez, 6124 Sherburn Rd, Montgomery, AL 36116, a return address of Jose Soto, 1030 Harvard Ave, Fairber, OH 45324

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

Controlled Substances, materials and documents reflecting the distribution of controlled substances through the U.S. Mails, including money and/or monetary instruments paid for controlled substances.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
21 U.S.C. 841(a)(1)	Distribution and possession with intent to distribute a controlled substance
21 U.S.C. 846	Conspiracy to distribute/possess with intent to distribute a controlled substance
21 U.S.C. 843(b)	Use of a communication facility to commit a felony

The application is based on these facts:

SEE ATTACHED AFFIDAVIT

- Continued on the attached sheet.
- Delayed notice of days (give exact ending date if more than 30 days:) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Brad M Dorman

2021.04.07 08:15:55 -04'

Applicant's signature

Brad M Dorman, United States Postal Inspector

Printed name and title

Sworn to before me and signed in my presence via facetime.

Date: April 7, 2021


Judge's signature

City and state: Dayton, OHIO

Michael J. Newman, U.S. District Judge

Printed name and title

Via electronic means.

10:09 AM, Apr 7, 2021

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO

IN THE MATTER OF THE SEARCH OF
Priority Mail Express Tracking Number
EJ748073329US, postmarked April 2, 2021
CURRENTLY LOCATED AT **Dayton, OH**
Processing and Distribution Center

Case No. _____

AFFIDAVIT IN SUPPORT OF SEARCH
WARRANT

I, **Brad M. Dorman** (hereinafter referred to as the Affiant), being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a United States Postal Inspector and have been since August 2017. I am presently assigned to the Cincinnati Field Office of the United States Postal Inspection Service, Pittsburgh Division, with investigative responsibility for southeast Indiana and southern Ohio. Part of my responsibility involves investigating the use of the United States Mail in the transportation of narcotics, other dangerous controlled substances, and financial proceeds from, or instrumentalities used in, the sale of such narcotics and controlled substances (hereinafter, "Drugs and/or Proceeds").

2. Based on my training and experience as a United States Postal Inspector, I have become aware that drug traffickers frequently use United States Priority Mail Express (overnight) or Priority Mail (2-3-day) to transport Drugs and/or Proceeds. Additionally, as a result of prior investigations and successful controlled-substance prosecutions involving the use of the United States Mail, I have learned of certain characteristics and/or circumstances

indicating that a parcel may contain Drugs and/or Proceeds. These circumstances include, but are not necessarily limited to, the following: the mailer uses different post offices on the same day to send parcels, the return address is false or non-existent, the addressee is not known to receive mail at the listed delivery address, the parcel is heavily taped, the parcel is mailed from a known drug source location, the labeling information contains misspellings, the label contains an illegible waiver signature, unusual odors are emanating from the parcel, and the listed address is located in an area of known or suspected drug activity.

3. On April 2, 2021, I intercepted a Parcel (hereinafter, the “Parcel”) at the Fairborn Post Office in Fairborn, OH. The Parcel is currently located at the United States Postal Inspection Service Office in Dayton, OH. The Parcel, is a brown USPS Padded ReadyPost Envelope, bearing tracking number EJ748073329US, weighing 0 pounds 1.8 ounces, postmarked April 2, 2021, with the following address information:

Sender: Jose Soto
1030 Harvard Ave
Fairber, OH 45324

Addressee: Mike Perez
6124 Sherbun Rd
Montgomery, AL 36116

4. I did a check in CLEAR of the addressee’s information on the Parcel of 6124 Sherbun Rd, Montgomery, AL 36116. CLEAR is a law enforcement database that is used as a tool for investigators to identify person/business and address information. According to CLEAR, there is no “Mike Perez” associated with 6124 Sherbun Rd, Montgomery, AL 36116. CLEAR has also confirmed the correct spelling of the road is “Sherburn” and not “Sherbun.” Through training and experience, I am aware of the failure to provide full or accurate information of the

addressee can be an indicator that the Parcel contains contraband, including drugs and/or drug proceeds.

5. I also did a check in CLEAR of the sender's information on the Parcel of Jose Soto, 1030 Harvard Ave, Fairber, OH 45324. According to CLEAR, there is no "Jose Soto" associated with 1030 Harvard Ave, Fairber, OH 45324. Confirmed through CLEAR and USPS Databases, the zip code 45324 is associated with the City of Fairborn, not "Fairber." Again, through training and experience, I am aware of the failure to provide full or accurate information of the addressee can be an indicator that the Parcel contains contraband, including drugs and/or drug proceeds.

6. Later on April 5, 2021, at my request, Dayton Police Officer Jeremy Stewart conducted a narcotics-detection canine check of the Parcel. Inspector Joe Rossiter was present for the check. The Parcel was placed in a controlled area and presented to narcotics-detection canine, "Weston." As set forth in the attached affidavit of Officer Stewart, "Weston" alerted positively to the presence or odor of a narcotic or other controlled substances.

7. Based on my training and experience as a United States Postal Inspector, the foregoing circumstances, including, (i) the inaccuracy of the addressee's information, (ii) the inaccuracy of the sender's information, and (iii) the positive alert of the narcotics-detection canine are indicative of Drugs and/or Proceeds in the Parcel.

8. Further, your affiant sayeth naught.

CONCLUSION

9. I submit that this affidavit supports probable cause for a search warrant authorizing the examination of the Package.

Respectfully submitted,

Brad M Dormar 2021.04.07 08:16:23 -04'0

BRAD M. DORMAN
United States Postal Inspector

Subscribed and sworn to before me
on April 6, 2021:



Honorable Michael J. Newman
UNITED STATES DISTRICT JUDGE

10:10 AM, Apr 7, 2021

Via electronic means.



UNITED STATES POSTAL INSPECTION SERVICE
PITTSBURGH DIVISION

OFFICER AFFIDAVIT

I, Officer Jeremy Stewart, am and have been employed by the Dayton Police Department since 2014. Among other duties, I am currently the assigned handler of narcotics detection canine "Weston" which is trained and certified in the detection of the presence or odor of narcotics described as follows:

Marijuana, Cocaine, Methamphetamine, and Heroin

On 4/6/21, at the request of Postal Inspector ROSSITER, I responded to the DAYTON P&DC, where "Weston" did alert to and indicate upon: [describe item]

EJ748E7332905

Jose Soto

Mike Perez

1030 Harvard Ave

6124 Sherburn Rd

Fairfield OH 45324

Montgomery AL 36116

Which, based upon my training and experience and that of "Weston", indicates there is contained within or upon the above described item, the presence or odor of a narcotic or other controlled substance.

4/6/21 / 28948/13-21
(Signature, Badge #, and Date)

RJH
(Witness/Date)